



PY OF PAPER:  
GINALLY FILED

Section  
#3.6  
PATENT

Attorney Docket No.: A-67209-5/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WALT, et al.

Serial No. 09/840,012

Filed: April 20, 2001

For: FIBER OPTIC SENSOR WITH  
ENCODED MICROSPHERES

) Examiner: Not Assigned

) Group Art Unit: 2874

)

)

)

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on

28/02

Signed:

Fern S. Marder

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed August 9, 2001.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application;

- DRAFTED - DRAFTED - DRAFTED - DRAFTED - DRAFTED - DRAFTED
- (2) Abstract;
  - (3) Check for \$576.00 to cover the filing fee (\$370.00), 11 total claims over 20 (\$99.00), 1 independent claim over 3 (\$42.00), and the missing parts surcharge (\$65.00) for a small entity (all at post-October 1, 2001 rates);
  - (4) Petition for Extension of Time (four months);
  - (5) Check in the amount of \$720.00 to cover a four-month extension for a small entity;
  - (6) Return receipt postcard.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67209-5/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Date: February 8, 2002

  
\_\_\_\_\_  
David C. Foster, Reg. No. 44,685  
Patent Agent for  
Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center  
Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989  
1074684



O 15  
FEB 22 2002  
PATENT AND TRADEMARK OFFICE  
UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/840,012	04/20/2001	David R. Walt	A-67209-5/RMS/DCF

### CONFIRMATION NO. 5049

#### FORMALITIES LETTER



\*OC000000006403659\*

Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

Date Mailed: 08/09/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

##### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$139.
  - \$99 for 11 total claims over 20.
  - \$40 for 1 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 559.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

02/28/2002 NM0HMM1 00000091 09840012  
 02 FC:201 370.00 OP  
 03 FC:203 99.00 OP  
 04 FC:202 42.00 OP  
 05 FC:205 15.00 OP

*A copy of this notice MUST be returned with the reply.*

*[Signature]*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART I - ATTORNEY/APPLICANT COPY

036000-000000000000